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Paper No. 15

IRELL & MANELLA  
1800 AVENUE OF THE STARS  
SUITE 900  
LOS ANGELES CA 90067

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**OFFICE OF PETITIONS**

In re Patent No. 5,893,087 :  
Issued: 6 April, 1999 :  
Application No. 08/633,842 : DECISION ON PETITION  
Filed: 10 April, 1996 :  
Attorney Docket No.: P01003US :  
:

This is a decision on the petition filed on 9 January, 2006, under 37 C.F.R. §1.378(b) to accept as unavoidably delayed the maintenance fee for Patent No. 5,893,087 (the '087 patent).

The Office regrets the delay in addressing this matter, however, the file was received by the attorneys in the Office of Petitions only at this writing.

**PLEASE NOTE:**

There is no indication of record that Petitioner herein ever was empowered in the instant matter. If Petitioner desires to receive future correspondence regarding this matter, the appropriate power of attorney documentation must be submitted. A courtesy copy of this decision will be mailed to Petitioner. However, all future correspondence will be directed to the address of record until such time as appropriate instructions are received to the contrary.

Petitioner must submit a fully executed certificate under 37 C.F.R. 3.73(b) (copy enclosed) evidencing Petitioner's rights to/in the instant matter.

The petition is **GRANTED**.

#### I. BACKGROUND

This patent, which was filed originally on 10 April, 1996, as Application No. 08/633,842, issued on 6 April, 1999, as Patent No. 5,893,087 (the '087 patent). Payment of the first maintenance fee was not timely made. And the twenty-four month period following expiration has elapsed. Therefore, Petitioner's only remedy is a petition under 37 C.F.R. §1.378(b). The original petition filed on 22 August, 2005, was dismissed on 4 November, 2006. The instant petition seeks to cure earlier deficiencies

Accordingly:

- the first maintenance fee and surcharge, which were tendered on 22 August, 2005, have been charged and now are allocated and accepted at the then current amount;
- moreover, the second maintenance fee, which was tendered on 22 August, 2005, and entered into the accounting on 6 January, 2006, also has been charged and now is allocated and accepted at the then current amount; and
- the above-identified patent hereby is reinstated as of the mail date of this decision.

This file is being returned to Files Repository.

While telephone inquiries regarding this decision may be directed to the undersigned at (571) 272-3214, it is noted that all practice before the Office is in writing (see: 37 C.F.R. §1.2<sup>1</sup>) and the proper authority for action on any matter in this regard are the statutes (35 U.S.C.), regulations (37 C.F.R.) and the commentary on policy (MPEP). Therefore, no telephone discussion may be controlling or considered authority for Petitioner's action(s).

  
John J. Gillon, Jr.  
Senior Attorney  
Office of Petitions

cc:

LOUISE J. WANNIER  
1446 ROSE VILLA STREET  
PASADENA, CA 91106

Encl: Statement under 37 C.F.R. §3.73(b)  
Maintenance Fee Address Form

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<sup>1</sup> The regulations at 37 C.F.R. §1.2 provide:

**§1.2 Business to be transacted in writing.**

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: LJM Software, Inc. / Louise J. WannerApplication No./Patent No.: 6,163,775 Filed/Issue Date: Filed 3/15/98 Issued 12/19/2000

Entitled:

LJM Software, Inc., a CORPORATION

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or  
 2.  an assignee of less than the entire right, title and interest.  
 The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR B  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Dex Information Systems To: Enfish, Inc.  
 The document was recorded in the United States Patent and Trademark Office at Reel 010795, Frame 0227, or for which a copy thereof is attached. recorded 05/05/2000

2. From: Enfish, Inc. To: ENFISH CORPORATION  
 The document was recorded in the United States Patent and Trademark Office at Nov. 2001, Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached. Document C

3. From: Enfish CORPORATION To: LJM Software, Inc. - Document A.  
 The document was recorded in the United States Patent and Trademark Office at June 4, 2004, Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached. Document B.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached. Document A is a copy of the filing  
 [NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Louise J. Wanner

Signature

LOUISE J. WANNER

Printed or Typed Name

Incorporator, President, LJM Software, Inc.

Title

December 5, 2005626 675 8541

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.